



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

LaHive & Cockfield, LLP  
Floor 30, Suite 3000  
One Post Office Square  
Boston, Massachusetts 02109

**COPY MAILED**  
**MAR 18 2010**

In re Patent No. 7,563,876	:
Deo et al.	: DECISION UPON REMAND AND
Issue Date: July 21, 2009	: RECONSIDERATION OF
Application No. 09/851,614	: PATENT TERM ADJUSTMENT
Filed: May 8, 2001	: AND NOTICE OF INTENT
Attorney Docket No. CDJ-166RCE2	: TO ISSUE CERTIFICATE OF
Title: Human Monoclonal	: CORRECTION
Antibodies to Dendritic Cells	:

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by One Thousand one hundred and seventy (1170) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by One Thousand one Hundred and seventy (1170) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor, Kery A. Fries at (571) 272-7757.

/Kery A. Fries/

Kery A. Fries

Patent No. 7,563,876      Application No. 09/851614  
Senior Legal Advisor Attorney  
Office of Patent Legal Administration  
Office of Associate Commissioner  
For Patent Examination Policy

Page 2

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT : 7,563,876 B2

DATED : July 21, 2009

**DRAFT**

INVENTOR(S) : Deo et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[\*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 613 days

Delete the phrase "by 613 days" and insert – by 1170 days--

Day : Wednesday

**PALM INTRANET**

Date: 3/17/2010

Time: 13:27:44

**PTA Calculations for Application: 09/851614**

Application Filing Date:	05/08/2001	PTO Delay (PTO):	1005
Issue Date of Patent:	07/21/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	300
Post-Issue Petitions:	0	Total PTA (days):	1170
PTO Delay Adjustment:	465		

**File Contents History**

Number	Date	Contents Description	PTO	APPL	START
126	03/17/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	557		
118.5	07/01/2009	PTA 36 MONTHS			
118	07/21/2009	PATENT ISSUE DATE USED IN PTA CALCULATION	268		103
117	06/25/2009	EXPORT TO FINAL DATA CAPTURE			
116	06/24/2009	DISPATCH TO FDC			
115	06/19/2009	DISPATCH TO FDC			
114	06/15/2009	MAIL-RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ALLOWANCE			
113	06/15/2009	RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ALLOWANCE			
113	06/15/2009	RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ALLOWANCE			
112	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO			
112	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO		94	
111	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO			
111	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO		30	
110	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO			
110	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO	13		
109	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO			
109	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO	19		
108	07/15/2008	EXPORT TO FINAL DATA CAPTURE			
107	06/26/2008	PETITION ENTERED			
106	07/10/2008	FINISHED INITIAL DATA CAPTURE			
105	07/10/2008	DISPATCH TO FDC			

104	07/03/2008	APPLICATION IS CONSIDERED READY FOR ISSUE			
103	06/26/2008	ISSUE FEE PAYMENT VERIFIED			
102	06/26/2008	ISSUE FEE PAYMENT RECEIVED			
101	05/01/2008	SEQUENCE FORWARDED TO PUBS ON TAPE			
100	04/21/2008	EXPORT TO INITIAL DATA CAPTURE			
99	04/17/2008	MAIL NOTICE OF ALLOWANCE			
98	04/14/2008	ISSUE REVISION COMPLETED			
97	04/14/2008	DOCUMENT VERIFICATION			
96	04/14/2008	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
95	04/14/2008	NOTICE OF ALLOWABILITY			
94	02/13/2008	DATE FORWARDED TO EXAMINER			
93	01/23/2008	RESPONSE AFTER NON-FINAL ACTION			
92	01/04/2008	MAIL NON-FINAL REJECTION			
91	01/03/2008	NON-FINAL REJECTION			
90	11/15/2007	DATE FORWARDED TO EXAMINER			
89	10/24/2007	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
88	11/15/2007	DATE FORWARDED TO EXAMINER			
87	10/24/2007	REQUEST FOR CONTINUED EXAMINATION (RCE)			
86	11/15/2007	DISPOSAL FOR A RCE / CPA / R129			
85	10/24/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
84	10/24/2007	MISCELLANEOUS INCOMING LETTER			
83	10/24/2007	WORKFLOW - REQUEST FOR RCE - BEGIN			
82	09/05/2007	CORRESPONDENCE ADDRESS CHANGE			
81	08/30/2007	MAIL ADVISORY ACTION (PTOL - 303)			
80	08/28/2007	ADVISORY ACTION (PTOL-303)			
79	08/20/2007	DATE FORWARDED TO EXAMINER			
78	08/15/2007	AMENDMENT/ARGUMENT AFTER NOTICE OF APPEAL			
77	06/29/2007	NOTICE OF APPEAL FILED		87	69
76	06/29/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
75	07/30/2004	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
74	07/30/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			

73	05/17/2007	MAIL ADVISORY ACTION (PTOL - 303)			
72	05/14/2007	ADVISORY ACTION (PTOL-303)			
71	04/05/2007	DATE FORWARDED TO EXAMINER			
70	03/27/2007	AMENDMENT AFTER FINAL REJECTION			
69	01/03/2007	MAIL FINAL REJECTION (PTOL - 326)			
68	12/22/2006	FINAL REJECTION			
67	09/29/2006	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
66	09/29/2006	REFERENCE CAPTURE ON IDS			
65.7	09/29/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		0	62
65	09/29/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
64	09/29/2006	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
63	10/12/2006	DATE FORWARDED TO EXAMINER			
62	09/29/2006	RESPONSE AFTER NON-FINAL ACTION		92	60
61	09/29/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
60	03/29/2006	MAIL NON-FINAL REJECTION			
59	03/20/2006	NON-FINAL REJECTION			
58	12/08/2005	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)			
57	02/22/2006	PRELIMINARY AMENDMENT			
56	01/23/2006	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
55	01/23/2006	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
54	01/23/2006	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
53	01/23/2006	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
52	01/23/2006	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
51	01/23/2006	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
50	01/23/2006	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
49	01/30/2006	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
48	01/23/2006	REFERENCE CAPTURE ON IDS			

47.7	01/23/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
47	01/23/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
46	01/30/2006	DATE FORWARDED TO EXAMINER			
45	01/23/2006	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
44	01/30/2006	DATE FORWARDED TO EXAMINER			
43	01/23/2006	REQUEST FOR CONTINUED EXAMINATION (RCE)			
42	01/30/2006	DISPOSAL FOR A RCE / CPA / R129			
41	01/23/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
40	01/23/2006	WORKFLOW - REQUEST FOR RCE - BEGIN			
39	07/21/2005	MAIL FINAL REJECTION (PTOL - 326)			
38	07/18/2005	FINAL REJECTION			
37	05/11/2005	DATE FORWARDED TO EXAMINER			
36	05/03/2005	RESPONSE AFTER NON-FINAL ACTION		89	34
35	05/03/2005	REQUEST FOR EXTENSION OF TIME - GRANTED			
34	11/03/2004	MAIL NON-FINAL REJECTION			
33	10/29/2004	NON-FINAL REJECTION			
32	08/19/2004	DATE FORWARDED TO EXAMINER			
31	08/13/2004	RESPONSE TO ELECTION / RESTRICTION FILED			
30	10/29/2004	MAIL-RECORD PETITION DECISION OF GRANTED RELATED TO INVENTOR IN APPLICATION			
26	08/13/2004	WORKFLOW INCOMING AMENDMENT IFW			
25	07/19/2004	PETITION ENTERED			
24	07/19/2004	OATH OR DECLARATION FILED (INCLUDING SUPPLEMENTAL)			
23	07/19/2004	MISCELLANEOUS INCOMING LETTER			
22	07/02/2003	PRELIMINARY AMENDMENT			
21	07/19/2004	WORKFLOW INCOMING PETITION IFW			
20	07/14/2004	MAIL RESTRICTION REQUIREMENT	737		-1
19	07/13/2004	REQUIREMENT FOR RESTRICTION / ELECTION			
18	12/19/2003	CORRESPONDENCE ADDRESS CHANGE			
17	10/08/2003	DATE FORWARDED TO EXAMINER			
16	10/07/2003	SUPPLEMENTAL RESPONSE		13	14
15	10/08/2003	DATE FORWARDED TO EXAMINER			

14	09/24/2003	RESPONSE TO A LETTER TO COMPLY WITH THE SEQUENCE RULES		19	13
13	06/05/2003	MAIL LETTER REQUIRING CRF (UNREADABLE, NON-COMPLIANT, NOT SUBMITTED)			
12	06/05/2003	CRF DISKETTE UNREADABLE / DID NOT COMPLY / REQUIRED BUT NOT SUBMITTED			
11.7	07/01/2002	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
11	07/01/2002	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
10.7	02/25/2002	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
10	02/25/2002	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
9	12/15/2001	CASE DOCKETED TO EXAMINER IN GAU			
8	11/08/2001	APPLICATION DISPATCHED FROM OIPE			
7	11/05/2001	APPLICATION IS NOW COMPLETE			
6	07/18/2001	NOTICE MAILED--APPLICATION INCOMPLETE-- FILING DATE ASSIGNED			
5	07/18/2001	CORRESPONDENCE ADDRESS CHANGE			
4	06/11/2001	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
3	05/22/2001	IFW SCAN & PACR AUTO SECURITY REVIEW			
2	05/08/2001	CRF DISK HAS BEEN RECEIVED BY PREEXAM / GROUP / PCT			
1	05/08/2001	INITIAL EXAM TEAM NN			

Search Another: Application#

### EXPLANATION OF PTA CALCULATION

### EXPLANATION OF PTE CALCULATION

To go back, right click here and select Back. To go forward, right click here and select Forward. To refresh, right click here and select Refresh.

Back to [OASIS](#) | Home page